

**CITY OF BELMONT
MEMORANDUM**



TO: Planning Commission

FROM: Carlos de Melo, Community Development Director

SUBJECT: August 1, 2006 Planning Commission Meeting - Agenda Item 5A
Appl. No.2005-0010 – 3401 Beresford Avenue
Single Family Design Review
Request for Extension of Approval

SUMMARY/ PROJECT DESCRIPTION

The applicants, Mats and Stephanie Nahlinger, request an extension of the Planning Commission approval of a Single Family Design Review to construct a 906 square foot second story addition for an existing 2,527 square foot single-family residence for the subject site.

The existing residence consists of a two-car garage (interior clear parking dimensions of 20.5' length x 21.5' width), kitchen, three bedrooms, dining room, living room, family room, and two and one half bathrooms. The proposed ground floor modifications include removal of a half bathroom and construction of a stairway to the new second story. This new floor would consist of a second family room, activity room, and two bedrooms and one bathroom. Five total bedrooms (two bedroom increase) would result from the proposed addition. The size of the remodeled dwelling would be 3,433 square feet in a zoning district that permits 3,500 square feet (See Attachment III – July 5, 2005 Planning Commission Staff Report/Meeting Minutes for additional background information for the project).

As discussed above, the Planning Commission approved the Single Family Design Review on July 5, 2005, and the one-year deadline for taking a building permit (and vesting the approval) has passed. Therefore, the applicants are now requesting an extension of the Single Family Design Review approval. The applicable Zoning Ordinance statutes for extension approvals are as follows:

Section 10.5 APPLICATIONS - EXTENSION OF TIME

10.5.1 EXTENSION OF TIME - The Planning Commission may grant up to two 1-year extensions of the expiration dates for variance, conditional use, design review, and exception permits it originally granted upon making the following findings:

- (a) The governing regulations under which the permit was originally approved have not changed in a way that have established different findings, development standards, or evaluation criteria.*

- (b) *The applicants have presented a reasonable explanation of the delay in completing the project and have demonstrated intent to complete the project within the next year.*
- (c) *The surrounding neighborhood conditions and site characteristics have not changed in a way that would no longer provide a factual basis for positively reaffirming the original findings.*

Section 10.5 allows the Planning Commission to extend planning approvals, and it does not state that such extension must be requested before, or granted prior to the one-year deadline. The Commission has approved, within the last three years, extension requests for the Mental Health Association (MHA) of San Mateo County Apartment Project at 800 F Street, a single-family design review project at 1801 Alden Street, and the Summerhill Homes residential development at 2440 Carlmont Drive.

CONCLUSION

Staff has reviewed the request in light of the required findings and found:

- Applicable statutes have not changed via establishment of different findings, standards, or general evaluation criteria.
- The applicants have provided a reasonable explanation for the delay (See Attached Letter dated July 17, 2006). Staff further believes the applicant shows intent to obtain project permits and complete construction within the next year. The applicants are currently in plan check with the City and close to completing all required items to obtain project building permits.
- There have been no significant changes to the surrounding Beresford Avenue/Plateau Drive neighborhood. Within the past two weeks (7/18/06), a second story residential addition for the adjacent property at 3403 Beresford Drive was reviewed and continued (to a date uncertain) by the Commission for modifications. No other recent building permits (for significant additions/modifications) or zoning entitlements within the last year have been issued for other properties within 300 feet of the subject site. There have also been no changes to the characteristics of the project site.

Staff believes an extension is warranted. Should the Commission grant the extension, the entitlements would be valid until July 5, 2007 (or less time as deemed appropriate by the Commission), unless a building permit has been issued before then or a second extension is requested and approved. In conclusion, staff believes the findings for granting an extension (Section 10.5.1. a-c) can be made in the affirmative.

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ATTACHMENTS

- I. Resolution approving extension of Single Family Design Review
- II. Conditions of Approval
- III. July 5, 2005 Planning Commission Staff Report and Meeting Minutes (Commission Only)
- IV. Applicant Letter (Commission Only)

RESOLUTION NO. 2006- _____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
APPROVING AN EXTENSION OF A SINGLE FAMILY DESIGN REVIEW
FOR 3401 BERESFORD AVENUE (APPL. NO. 2005-0010)

WHEREAS, Mats and Stephanie Nahlinder, property owners, request an extension of a Single Family Design Review approval granted by the Planning Commission on July 5, 2005 to construct a 906 square foot second story addition for an existing 2,527 square foot single family residence at 3401 Beresford Avenue; and,

WHEREAS, the Planning Commission of the City of Belmont finds the project to be Categorically Exempt pursuant to the California Environmental Quality Act, Section 15301; and,

WHEREAS, the Planning Commission hereby adopts the staff memorandum dated August 1, 2006 and the facts contained therein as its own findings of facts; and,

WHEREAS, The Planning Commission has considered the applicant's request for an extension of the Single Family Design Review entitlement and finds the required findings per Section 10.5.1 (a-c) (Extension of Time) are made in the affirmative as follows:

(a) *The governing regulations under which the permit was originally approved have not changed in a way that have established different findings, development standards, or evaluation criteria.*

The applicable Single Family Design Review statutes have not significantly changed within the last year such that different findings, development standards, or evaluation criteria have been established. This finding is affirmed.

(b) *The applicants have presented a reasonable explanation of the delay in completing the project and have demonstrated intent to complete the project within the next year.*

The applicants have provided a reasonable explanation for the delay citing unfavorable timing and cost/financial issues for obtaining permits within the last year. The applicant shows intent to obtain project building permits and complete the development within the next year. This finding is affirmed.

(c) *The surrounding neighborhood conditions and site characteristics have not changed in a way that would no longer provide a factual basis for positively reaffirming the original findings.*

There have been no significant changes to the surrounding Beresford Avenue/Plateau Drive neighborhood. Within the past two weeks (7/18/06), a second story residential addition for the adjacent property at 3403 Beresford Drive was reviewed by the Commission and continued (to a date uncertain) for modifications. No other recent building permits (for significant additions/modifications) or zoning entitlements within the last year have been issued for other properties within 300 feet of the subject site. There have been no changes to the characteristics of the project site. This finding is affirmed.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Belmont hereby extends the approval of a Single Family Design Review to allow construction of a 906 square foot second story addition for an existing 2,527 square foot single family residence at 3401 Beresford Drive to July 5, 2007, subject to the conditions in the attached Exhibit "A".

* * * * *

I hereby certify that the foregoing resolution was duly and regularly passed and adopted by the Planning Commission of the City of Belmont at a regular meeting held on August 1, 2006 by the following vote:

AYES,
COMMISSIONERS: _____
NOES,
COMMISSIONERS: _____
ABSENT,
COMMISSIONERS: _____
ABSTAIN,
COMMISSIONERS: _____
RECUSED,
COMMISSIONERS: _____

Carlos de Melo
Planning Commission Secretary

EXHIBIT "A"

CONDITIONS OF PROJECT APPROVAL SINGLE FAMILY DESIGN REVIEW 3401 BERESFORD AVENUE (APPL. NO.2005-0010)

I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

Planning Division

1. Construction shall conform to the plans on file in the Planning Division for Appl. No. 2005-0010 and date-stamped May 19, 2005. The Director of Community Development may approve minor modifications to the plans.
2. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.
3. Prior to issuance of building permits, the property owner shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that he/she has read, understands and agrees to these conditions of approval.
4. In accordance with the Belmont Zoning Ordinance, the permit(s) granted by this approval shall expire one (1) year from the date of approval, with said approval date indicated on the accompanying Planning Commission resolution. Any request for extension of the expiration date shall be made in accordance with the applicable provisions of the Belmont Zoning Ordinance.
5. In the event that this approval is challenged by a third party, the property owner and all assignees will be responsible for defending against this challenge, and agrees to accept responsibility for defense at the request of the City. The property owner and all assignees agree to defend, indemnify and hold harmless the City of Belmont and all officials, staff, consultants and agents from any costs, claims or liabilities arising from the approval, including without limitation, any award of attorneys fees that might result from the third party challenge.

6. Prior to the issuance of building permits for the project, an existing detached garden shed located within the interior (east) sideyard area shall either be removed or relocated to maintain a required 5-foot setback from the dwelling. This shed shall also be located outside of the existing 5-foot sewer reserve easement area along the east sideyard of the property.
7. Prior to the issuance of building permits for the project, a revised landscape plan that includes the installation of two 15-gallon size trees for the Plateau Drive property frontage yard area shall be submitted for review and approval by the Community Development Department/Planning Division.
8. Any on-site landscaping damaged by construction of the project (i.e. new second story or foundation work) shall be replaced in kind, prior to issuance of a Certificate of Occupancy for the dwelling. Photographs shall be provided, prior to building permit issuance, that document existing landscaping conditions for the site.

Building Division

1. Prior to any construction, the applicant or a designated representative shall obtain all of the required building permits for the project.
- II. COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:
 - A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.
 1. Streets, sidewalks and curbs in need of repair within and bordering the project shall be repaired and/or removed and replaced in accordance with the Department of Public Works approved standards. Photographs or video of before condition are recommended.
 2. Roof leaders and site drainage shall be directed to the City stormwater drainage system. A dissipator box or other energy reduction method shall be installed prior to discharge to the gutter.
 - B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.
 1. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way, easements or property in which the City holds an interest, including driveway, sidewalk,

- sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.
2. Verify location of utility meters, valves, back flow preventers, and hydrants with appropriate utility company. Show relationship of each to site improvements, such as retaining walls.
 3. The owner/applicant shall submit a dust control plan for approval by the Department of Public Works. To reduce dust levels, exposed earth surfaces shall be watered as necessary. The application of water shall be monitored to prevent runoff into the storm drain system. Spillage resulting from hauling operations along or across any public or private property shall be removed immediately. Dust nuisances originating from the contractor's operations, either inside or outside of the right-of-way shall be controlled.
- C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.
1. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These includes, but are not limited to, the following:
 - a) Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - b) Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.
 - c) Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.
 - d) Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.
 - e) Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.
 - f) Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.
 - g) Perform clearing and earth moving activities only during dry weather (April 15 through November 14).
 - h) Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
 - i) Limit construction access routes and stabilize designated access points.
 - j) Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.
 2. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.

3. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.

III. COMPLY WITH THE FOLLOWING CONDITIONS OF THE SOUTH COUNTY FIRE DEPARTMENT:

1. Address numbers shall be illuminated and visible on all new buildings. Rear addressing is/may also be required. Size of lettering and illumination shall meet South County Fire Standards.

IV. COMPLY WITH THE FOLLOWING CONDITIONS OF THE POLICE DEPARTMENT:

1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.

2. No debris boxes or building materials shall be stored on the street.

3. Flag persons shall be positioned at both ends of blocked traffic lanes.

4. 24-hour written notice to the Police Department is required before any lane closure.

Certification of Approved Final Conditions:

Carlos de Melo, Community Development Director

Date

MEETING OF JULY 5, 2005

AGENDA ITEM NO. 5A

Application I.D.:	2005-0010
Application Type:	Single Family Design Review
Location:	3401 Beresford Avenue
Applicant/Owners:	Mats and Stephanie Nahlinder
APN:	043-093-230
Zoning:	R-1B – Single Family Residential
General Plan Designation:	RL – Low Density Residential
Environmental Determination:	Categorically Exempt, Section 15301, Class 1(e)(2)(a&b)

PROJECT DESCRIPTION

The applicant requests Single Family Design Review approval to construct a 906 square foot second story addition to the existing 2,527 square foot one-story single family residence for a total of 3,433 square feet that is below the zoning district permitted 3,500 square feet for this site.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** the Single Family Design Review subject to the conditions of approval contained in the attached draft resolution¹.

ZONING/GENERAL PLAN DESIGNATION

The existing single-family residence is a permitted use in the designated R-1B (Single Family Residential) zoning district, and is conforming to the General Plan Designation RL - Low Density Residential.

PRIOR ACTIONS

The subject property was established as part of the Belmont Country Club Subdivision No. 8 in 1926, and the single-family residence was built in 1951. A new family room, bedroom, and

¹ Please note: This recommendation is made in advance of public testimony or Commission discussion of the project. At the public hearing, these two factors, in conjunction with the staff analysis, will be considered by the Commission in rendering a decision on the project.

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replacement of a carport with a two-car garage was approved and constructed for the dwelling in 1990. There have been no other planning actions for this property.

500 FOOT RADIUS MAP

SITE CONDITIONS

The subject property is located in a single family neighborhood developed with one and two-story single-family homes with a mixture of stucco and wood exterior finishes. The existing lot is defined as a reverse corner lot² with street frontages on Beresford Avenue and Plateau Drive (Discussion of the corresponding yard areas follows on Pg. 4 – *Project Data*, and Page 5 – *Zoning Conformance*). A 5' wide sewer reserve easement runs the length of the interior (east) side lot line from the front (south) to the rear (north) of the property. The 12,138 square foot lot is irregularly shaped and is relatively flat (less than 5% slope). The site is developed with a one-story 3 bedroom, 2.5-bath house.

The site includes lawn areas for the front (Beresford Avenue), exterior side (Plateau Drive), interior side, and rear yards. The site includes non-protected trees by size (three 7-inch Sequoias) and species (pine, birch, apple, cherry, and plum); none of these trees are to be pruned or proposed for removal as part of the project. The site includes gated wooden fences for both the interior and exterior side yards on both sides of the house. These side yards include walkway areas to the rear yard, and the rear yard includes 1) a patio, 2) a detached garden shed (less than 6.5 feet in height) located within the required setback area in the northeast portion of this interior sideyard (see *Zoning Conformance* discussion on Pages 5 & 6).

The site includes a circular driveway accessed from the Plateau Drive property frontage. This driveway provides uncovered parking for a minimum of two vehicles (24-foot width by 21-foot length area adjacent to the garage, exclusive of the two driveway entries); see further discussion of this circular driveway in the *Zoning Conformance* section on pages 5-6.

PROJECT ANALYSIS

Existing Dwelling Floor Area/Layout

The 2,527 square foot residence consists of a two-car garage (interior clear parking dimensions of 20.5' length x 21.5' width), kitchen, three bedrooms, dining room, living room, family room, and two and one half bathrooms.

Proposed Dwelling Modifications – Existing First Floor & New Second Floor

The proposed interior remodel to the first floor consists of removal of a half bathroom and creating a stairway to the proposed new second floor.

The proposed new 906 square foot second floor would consist of a second family room, activity room, and two bedrooms and one bathroom. This new floor would include a balcony (facing the interior sideyard to the east) accessed from the family room. Five total bedrooms (two bedroom increase) would result from the proposed addition.

² 2.82 LOT, REVERSED CORNER - A corner lot, the rear of which abuts upon the side of another lot, whether across an alley or not. – Belmont Zoning Ordinance

Dwelling Floor Area Summary	
Proposed Square Footage	Proposed Modifications/Additions
First Level – 2,527 Sq. Ft.	<u>Existing:</u> Two-car garage, kitchen, three bedrooms, dining room, living room, family room, and two and one half bathrooms. <u>Proposed:</u> new stairway to proposed second level and removal of half bathroom.
New Second Level – 906 Sq. Ft.	Two bedrooms, family room, activity room, one bathroom, balcony.
Proposed Floor Area – 906 Sq. Ft. Existing Floor Area – 2,527 Sq. Ft. Total for dwelling = 3,433 Sq. Ft.	

Exterior Materials/Colors

The existing dwelling is finished in a combination of light gray for the exterior stucco walls, off-white for trim elements, dark gray colored wood-shingle siding, and a charcoal colored asphalt shingle roof. The new second story would continue this color scheme for the exterior stucco walls, cedar shingle siding elements, and trim colors for doors, balcony railings, and windows; new roofing would match the existing charcoal colored asphalt shingle design. The building colors and materials are illustrated on the attached sample sheet (See Attachment V).

Landscaping and Groundwork

As discussed earlier, the subject property has existing mature landscaping consisting of grass lawn areas, and shrubs and bushes in the front and rear yards. The property also consists of non-protected trees (by size and species), none of which would be removed to allow for the proposed construction; all other on-site landscaping would remain. No additional landscaping is proposed for the project. No grading is proposed for the project, as the new second floor will have no impact on the ground area.

PROJECT DATA

Criteria	Existing	Proposed	Required or Max. Allowed
Lot Size	12,138 sq. ft.	No Change	No Change
Slope	5%	No Change	No Change
FAR	0.209	0.284	0.288 (corresponds to 3,500 sq. ft. max.)
Square Footage	2,544 sq. ft. (includes portion of garden shed)	3,433 sq. ft.	3,500 sq. ft.
Parking	Two-car garage (20.5' x 21.5') Two uncovered	Two-car garage (20.5' x 21.5') Two uncovered	Two-car garage Two uncovered
Criteria	Existing	Proposed	Required or Max.

			Allowed
Setbacks:			
Front (south) (Beresford Avenue frontage)	40 ft.	40 ft. (New second floor will maintain a 45 foot setback)	15-30 ft.*
Side (west) (Plateau Drive frontage)	26 ft.	26 ft. (New second floor will maintain a 57 foot setback)	15 ft.
Side (east) (Beresford Avenue interior)	7.5 ft. – dwelling 1.5 ft. – garden shed	7.5 ft. (New second floor will maintain a 17 foot setback)	9 ft.
Rear (north)	18 ft.	18 ft.	15 ft.
Driveway length	48 foot semicircle length (for circular driveway)	No change	18 ft.
Height	18 ft.	26 ft.	28 ft.

*As the proposed second story addition does not further encroach upon the existing 40-foot front yard setback, the provisions of Section 9.7.4(a) were not evaluated.

GENERAL PLAN CONFORMANCE

The proposed addition for the single-family residence does not change the land use of the site. The residence is in conformance with the low-density residential general plan designation.

ZONING CONFORMANCE

The following sections of the BZO address elements of the existing site/dwelling and proposed addition:

1. The City Council reviewed and adopted amendments to BZO Section 8.1.4 (RE: parking upgrades) and the “bedroom” definition at their 3/8/05 meeting; these statutes took effect on April 22, 2005. However, this application was submitted (2/22/05) prior to this ordinance being effective. As such, this application was reviewed under the previous Ordinance which uses “more than one bedroom being added” as the trigger for a parking upgrade. The proposed addition increases the number of dwelling bedrooms by two (three bedrooms existing, five proposed), thus requiring a parking upgrade for the site. As discussed earlier, the dwelling includes a complying two-car garage (20.5’ X 21.5’ interior clear) and a driveway, which accommodates a minimum of two uncovered spaces (8.5’ X 18’ per space), thus meeting single-family residential parking requirements.

2. The ordinance section (BZO 8.2.6(a)³) specifically prohibiting circular driveways (without approval of a Variance) took effect in 1996. City aerial maps from 1993 indicate the design/layout of the circular driveway as it is currently configured. The City does not have any evidence that the circular driveway has been abandoned since adoption of code language prohibiting circular driveways. No site plan changes are proposed as part of this project for modifications to the circular driveway. As such, Staff has determined that the circular driveway is legal nonconforming and is allowed to remain as long as no modifications are made to the design/layout/dimensions of such driveway.
3. The existing (Beresford Avenue) interior side yard setback is 7.5 feet and is nonconforming for the existing dwelling; the new second floor maintains a 17-foot setback for this side yard, in compliance with the BZO.
4. An existing detached 6' X 8' garden shed is located within the interior side yard area (and within the previously discussed 5' sewer reserve easement area) and maintains a 1.5-foot setback from the side property line and a one-half foot setback from the dwelling and is regulated as per BZO sections 9.5.4(a) and 9.7.3(c)⁴. The existing shed occupies approximately 8% of the interior side yard area (40% permitted); however the shed does not maintain the required five-foot setback from the dwelling. Thus staff recommends as a condition of approval that this shed either be removed or relocated to maintain this required 5-foot dwelling setback and be located outside of the 5' sewer reserve easement area.

The proposed additions meet all other setback, height, FAR, and permitted use regulations of the R-1B zoning district.

NEIGHBORHOOD OUTREACH

³ 8.2.6 *LOCATION OF REQUIRED PARKING FACILITIES - The location of off-street parking and garage spaces in relation to the use served shall be as follows: All distances specified shall be walking distances between such parking spaces and a main entrance to the use served.*

(a) *For Uses in a Residence District - Parking and garage space accessory to dwellings shall be located on the same site as the use served. No parking outside of the required driveway and parking area shall be permitted between the front of the dwelling and the front property line. In the aforementioned area, additional parking, paving for parking, and circular driveways are not permitted. Any variance from this standard is subject to the procedure of Section 14 and findings of Section 8.1.3(c).*

⁴ 9.5.4 *ACCESSORY BUILDINGS - Accessory buildings as regulated herein are permitted in any district, if constructed either at the same time as the main building on the lot, or subsequently.*

(a) *In any R District, nonhabitable one story detached accessory buildings (i.e. garages and storage sheds) may occupy part, but not more than 40 percent, of the required yard areas; provided however, that no detached accessory building shall be located in front of the main building. Detached accessory buildings which include habitable floor area (including secondary dwelling units) shall not occupy the required yard areas.*

9.7.3 YARD REQUIREMENTS – ACCESSORY USES

(c) *A distance of not less than five (5) feet shall be maintained between any accessory building and the main building on a lot or parcel.*

The applicant performed neighborhood outreach as detailed in the Neighborhood Outreach Strategy and letter attached to this report. The property owners reported sending a letter to all neighbors within 300 feet of their house in late February 2005 informing them of the project and requesting any comments (by 3/31/05). The applicant reports that no negative comments were received and all feedback was positive. Staff has not received any public comments regarding this project as of the writing of this report. The applicant appears to have achieved the outreach strategy tasks.

ENVIRONMENTAL CLEARANCE (CEQA)

The proposed addition to the single-family home is categorically exempt from the provisions of the California Environmental Quality Act by provision of Section 15301, Class 1 (e) (2)(a&b):

“Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet if:

- (A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and*
- (B) The area in which the project is located is not environmentally sensitive.*

The existing residence meets the above requirements for CEQA exemption.

SINGLE FAMILY DESIGN REVIEW EVALUATION

The Belmont Zoning Ordinance establishes the following findings for the review of single-family residential projects (Section 13A.5 (A-H)). Each finding is listed below with staff's analysis of whether this project meets each finding in the affirmative.

- A. The buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.*

The existing one-story residence is situated on a nonridge moderately flat (less than 5% grade) lot. The design, materials and color palette of the proposed remodel and addition are consistent with the established character (wood and stucco exterior designs) of other one and two story homes within the neighborhood. Although the proposed second story addition would increase the height of the dwelling to 26 feet, the new second floor will minimize disruption of public views as assessed from Beresford Avenue and Plateau Drive. Staff believes this finding can be made in the affirmative.

- B. The overall site and building plans achieve an acceptable balance among the following factors:*

- (1) building bulk*

- (2) *grading, including*
 - (a) *disturbed surface area and*
 - (b) *total cubic yards, cut and fill*
- (3) *hardscape, and*
- (4) *tree removal*

Building bulk

A significant amount of square footage would be added to the existing house but would not exceed the permitted floor area for the site. The proposed project would add a new 906 sq. ft. second floor for the existing residence. The existing height of the building (18 ft.) will increase to 26 feet with the proposed addition, but will not exceed the BZO maximum height (28 feet).

The front elevation of the existing building (south face) includes an articulated porch/entry area, both bay and multipane windows, and roof eaves. The design of the new second floor includes a varying pitch roof with consistent eave detailing and multipane window treatment. The design includes a complimentary palette of off-white for the trim colors, light gray for the exterior stucco walls, dark gray for the cedar wood shingle siding treatment and balcony railings, and a charcoal colored asphalt shingle roof. Window surrounds would be painted to match the corresponding trim elements at each proposed elevation. Staff believes the proposed architectural design of the second floor addition moderates the building bulk and is appropriate for this structure and the neighborhood.

Grading/Hardscape

The second floor addition will have no impact to the ground areas. The remainder of the building footprint would remain unchanged from the project. The building expansion does not significantly increase the hardscape of the lot.

Tree Removal

The site is currently landscaped with lawn areas, and non-protected trees (three 7-inch size sequoias, pine, birch, apple, cherry, and plum) on site. All existing landscaping would remain and no trees would be pruned or removed to allow for construction of the project.

All four factors (building bulk, grading, hardscape, and tree removal) appear to be appropriately addressed in the building design to achieve a complementary balance for the project. Staff believes this finding can be made in the affirmative.

- C. *All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structures.*

The existing circular driveway has clear access at the street (Plateau Drive frontage). This driveway has sufficient back-up space (28' within the property). An existing front walkway from

the Beresford Avenue street frontage to the front entry is safe for pedestrian usage. Staff believes this finding can be made in the affirmative.

D. All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation.

No grading is proposed for the project, as the new second floor will have no impact on the ground area. There are no known geological or flooding hazards in the immediate neighborhood of the subject property, and there are no streams on or near the property. Staff believes this finding can be made in the affirmative.

E. All accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.

There are no proposed changes to the driveway or utility services; no new retaining walls or accessory structures are proposed for the site. Staff believes this finding can be made in the affirmative.

F. The landscape plan incorporates:

- (1) Native plants appropriate to the site's environmental setting and microclimate, and*
- (2) Appropriate landscape screening of accessory and support structures, and*
- (3) Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code*

The site is currently landscaped with non-protected trees, lawn areas, and ground cover. No trees would be pruned or removed to allow for construction of the project and all on-site landscaping would remain. No new landscaping is proposed for the project. There are no accessory or support structures on the site that would require landscaping screening. Staff believes this finding can be made in the affirmative.

G. Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards.

Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. All construction would be completed in compliance with the Uniform Building Code and NPDES standards as administered by the City of Belmont. Staff believes this finding can be made in the affirmative.

H. Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code.

The proposal includes no new encroachments into the public right-of-way. Staff believes finding can be made in the affirmative.

CONCLUSION AND RECOMMENDATION

Based on the analysis and required findings, staff recommends approval of the Single-Family Design Review application with the Conditions of Approval in Attachment III.

ACTION ALTERNATIVES

1. Continue the application for redesign.
2. Deny the Single Family Design Review. The Commission will identify specific facts to support a denial, and a resolution would be returned to the Commission for final action.

ATTACHMENTS

- I. 500 foot radius map of project site (incorporated as Page 2 of report)
- II. Resolution approving the Single Family Design Review
- III. Conditions of Approval
- IV. Neighborhood Outreach Materials
- V. Applicant's plans, materials board, and photos (Commission only)

Respectfully submitted,

Carlos de Melo
Principal Planner

Craig A. Ewing, AICP
Community Development Director

CC: Applicant/Owners

City of Belmont
Planning

Regarding: Application – Extension of time for 3401 Beresford Ave

I hereby apply for an extension of my Planning Permit. This is based on City of Belmont Zoning Ordinance, paragraph 10.5 (b).

Background: My permit was granted on July 5, 2005. I immediately started to work on the structural drawings with my engineer. On September 1, 2005, the company I was employed with ran out of funds and closed. At this point I stopped the work on the house. I started work again on April 17, 2006, at which time I started to apply for the building permit again. I submitted all the plans and the application for the building permit and all departments responded with their findings. I responded to all these findings by the end of June, prior to the expiration of the permit. The only open item is the payment to the school district, which I was going to pay as soon as I got word that all other items have been addressed correctly and cleared by the City. The reason for this is that the amount to the school district was significant enough that I didn't want to pay until the last moment.

As I am currently only waiting for the City to respond to my added information, I have put out my drawings for bid to a number of contractors and have received bids to start as soon as I receive my building permit.

I must confess that I did confuse the date when my application expires. I believed that the application expired in August.

I would greatly appreciate it, and I hope the planning committee will agree, to grant me an extension for the planning permit so that I can complete my building permit application, and start building my addition. I believe I have complied with the text in paragraph 10.5 (b) for "reasonable explanation of the delay in completing the project" which was due to my 7.5 months of unemployment. I also believe I have demonstrated "intent to complete the project within the next year" by having responded to all comments, except the school district payment, from the City and submitted the final drawings while the permit was still valid. I also have contractors ready to start the building.

As you know, I created the architectural drawings myself and have gone through the permit process myself, rather than using an architect. Since this is not my profession the staff at the planning and building departments have helped and guided me. Without their patience and expertise, I would not have been able to get to this point.

Regarding the application fee for this extension of \$1,182, I request the entire amount, or part there of, be applied to the final building permit fee, since I have submitted the information prior to the expiration of the planning permit.

The commission's understanding is greatly appreciated.

Sincerely,

Mats Nahlinder
3401 Beresford Ave
Belmont, CA 94002